

The Republican.

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TO JOHN S. HARFORD ESQ. OF BLAISE CASTLE, NEAR BRISTOL, AUTHOR OF A FALSE AND SCURRILOUS MEMOIR OF THOMAS PAINE, MEMBER OF THE VICE SOCIETY AND PAPER MONEY DEALER IN BRISTOL.

LETTER II.

Dorchester Gaol, Nov. 4, 1825, anniversary of the last revolution in the English monarchy.

SIR,

THOMAS PAINE, as an Englishman, had more right and justice on his side, in seeking the dethronement of George the Third for the public good, than William, Prince of Orange, a foreigner, had to invade this country and seek the dethronement of his father in law James the Second. Yet, men of your stamp, who reason nothing honestly, call the former a detestable attempt at revolution, and the latter, because the royal revolutionists was successful, a glorious revolution! Thomas Paine, at least had the merit, not to seek the dethronement of a king for his own advancement to that title and office. He was a revolutionist; but a virtuous revolutionist. In all his views, in all his endeavours, self never counted higher than as one of the people for whom he wrote.

My first letter forms a complete disproof of all your slanderous and false attacks upon the name and memory of Thomas Paine; but as the disproof was not written as a minute answer to your memoir, I now proceed to that minute answer.

On your title page, you profess to shew, that the writings of Thomas Paine had an intimate connection with the avowed objects of the revolutionists of 1793, and of the radicals in 1819. The first point, I shall not dispute. The revolution of all the governments on the face of the earth, as that of the United States of North America had been hap-

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pily revolutionized, was the grand, glorious and praiseworthy aim of Thomas Paine. And, proud am I to say, that I possess the whole of his spirit. But as to the radicals of 1819, they were pursuing they knew not what. They had no system, nor a single leader that had a system which he could publish. Some of them were for Paine's system, the few of them who thought for themselves; but the bulk knew nothing of his writings, and his name had hardly been thought of, had I not republished those writings at a critical period. Major Cartwright condemned the republication. Mr. Hunt boasted, that he had never read them; and Mr. Cobbett, we know, stood ready to praise or to denounce them, to say he had or had not read them, just as the wind blew favourable or unfavourable. So that, in reality, there was very little of similarity between the radicals of 1819 and the republicans of 1793. The spirit of what was called radicalism in 1819 had no foundation and was soon evaporated; but had it been a spirit founded upon the writings of Thomas Paine, not a particle of it had ever abated. What was good in it is still good and has clung round the writings of Thomas Paine, which are daily cherished by new converts; until now, we see the effects in mechanic's institutions, in free discussion societies, in men, in almost every town and village, making the priests visible in their real characters and showing a towering superiority over them in every kind of argument. I, alone, of all the revolutionary writers of 1819, have been able to maintain the same ground on which I started, and I attribute the circumstance entirely to resting upon such solid principles as those developed in the writings of Thomas Paine. I have done this in spite of a persecution that would have silenced the others in a few days. I have had to start anew, again, and again with no property but the principles of Thomas Paine; and now, I feel invulnerable. Upon this shewing, I assert, that your title sets forth a falsehood. I have met with many of the old staunch republicans of 1793 and with scarcely an exception, I found them looking with contempt or indifference on the proceedings of the Radicals in 1819.

Your dedication to Sir Thomas Acland is ludicrous enough. How would the Devonshire people stare to hear him called a patriot? All who knew him, know that he is a weak minded man, and, in expression of that weakness, is, in Devonshire, commonly called Tommy Acland. Instead of dying for his country, he would die with fright, if there were an insurrection of a formidable character. You have selected him for your dedication; because he is a sort of

leading man in your vice society. Shew me a man who subscribes largely to what are called public charities, and to institutions similar to the Vice Society and I will engage, that, at bottom, he is to be found a very weak or a very wicked man: a man who seeks a popularity by his money which he cannot acquire by his abilities or virtues. Such a man is the present Sir Thomas Dyke Acland.

The first paragraph of your preface states a falsehood, in saying, that the name of Thomas Paine is proverbial for infamy. Infamy expresses a notorious immoral character. Now, Mr. Harford, I have done all that I could do, to sift the real character of Thomas Paine, and, after reading what the government agent, Oldys, or George Chalmers, wrote of him, after reading all that Cobbett wrote in slander of him, after reading Cheetham's memoir, and after reading what you have written, I challenge you, and with you, all that are like you, and all that are unlike you, to attach a proof of one immoral act to the name and character of Thomas Paine. I pronounce every immoral act, that you and others have imputed to him, to be false and written for the most vicious of purposes—to deceive the people as to the real character of a man who was the greatest public teacher that ever appeared among them. If I would admit the reality of the character in which Jesus Christ is drawn in the New Testament, which I do not, but take it to be a sketch of an allegorical character, I can boldly say, and saying prove it, by a contrast, that Jesus Christ was a mere fool when compared with Thomas Paine. These are assertions which the vileness and virulence of such attacks as yours upon the name and character of this great man have justifiably drawn forth. In every other respect, holding the character of Jesus Christ to be an allegory, I have resolved never to allude to him again, as to a real character, to say nothing for or against him, other than in the shape of criticism upon a fabled or allegorical character.

In this same first paragraph, you say, that you have taken up the history of Thomas Paine; because, with pain and wonder, you have witnessed the imprudent attempts lately made, in various ways, to confront the system of Paine with that of Christianity; in other words, to oppose the kingdom of darkness, sin and contention, to that of light, purity and love.

A reverse of your description of the two systems will be nearer the truth. You see nothing, or you can shew nothing, dark, sinful or contentious in the system of Paine;

whilst I can show the system of Christianity to have been and to be of that threefold description, from its origin to this day. There was never before on the earth, nor with it, a system of religion so dark, so sinful, and so contentious. On the other hand, the two continents of America are eloquent proofs of the goodness of the system promulgated by Paine. And better they will be, when they follow his theological as well as his political system.

And now, what think you of the system of Paine Mr. Harford? I have travelled far beyond him in matters of religion. I scout his Deism; though I admire him for the advance which he made. I have undermined the Christian Religion by its own history, and I show, *by dates*, that it has been antedated a full century. I undermine the Old Testament, by asking you to shew me a single proof, a single piece of evidence, that a people called Jews or Israelites inhabited Syria or Asia Minor before the Babylonian Colonization, and that any part of their sacred books was in existence before that time. But my third and most powerful retreat, that which shews all religion to be vice, is, the proof, visible to all who will open their eyes, and who dare to look at as I dare, that *intelligence or the power to design is artificial, no where natural, and no where existing beyond that third portion of fixed matter, the animal world: an artificial property manufactured by a system of nerves and totally dependant upon that system*. Now, where will you find an animal large enough to make or to move a planet? And from what can intelligence arise but from a planet already formed? That which theologians call a first principle, is, in reality, the last principle in the scale of creation. They reverse every thing. They are they who ideally turn the world upside down.

Your second paragraph commences with calling me *impious*. If impious expresses nothing more than hostility towards that vice *religion*, if it expresses nothing more than a war with the gods, I glory in the title and hold it to be the perfection of that which is right honourable, noble, excellent, or whatever title can be found for that which is good and great. Six years have elapsed since you wrote your pamphlet. I have seen quotations from it; but never saw the original until the past summer. I now, for the first time, find, that you have been an active member of the vice Society, and now I can proudly tell you, that though I have been a prisoner for these last six years, though, at the instigation of your society, I have been excessively robbed by the govern-

ment, I have not only triumphed over, I have not only beaten your society to the ground; but I have silenced all the artillery of that mean and base administration of government, that could espouse and identify itself with such a society. I have brought you all, government, and vice society, into such a state of contemptible weakness, as to be a mere set of play things for me. And I have done this solely upon the virtue of my impiety! I could have done a mere nothing as a politician, without an assault upon religion. I saw this, at an early period of my career, and I have undeviatingly acted upon it, amidst the clamour and frowns of pretended or short-sighted friends, and the abuse, the virulent abuse, of you and other enemies. I feel my triumph to be complete, and I am justified in shewing it. Basely as I have been treated in this Gaol, by some of your brother villains of the Vice Society and its tools, my imprisonment has been a pleasure to me, a real gratification, and though, at the time of writing this, I have not the least prospect of liberation, I shall look forward to the idea of another six years of imprisonment with the same peace of mind, with which I look back upon the past. I have now completed a moral power that is far more powerful than all the physical power in the hands of the government of this country, and in or out of prison, I shall go on *to war my moral power; against that physical power, until I, or they who shall succeed me, shall make all moral alike, and see nothing but moral power the boast of the country.*

In your third paragraph, you say:—"Paine's works never did any harm to a candid and well instructed mind, but they have often proved incalculably pernicious to persons whose education or abilities have not qualified them to disentangle the sophistries, or to expose the arts of impiety." If an evil exists here as you say, all you have to do is to educate all alike. I am very willing to put the works of Paine to this trial. I can suppose, that a mind skilled in all the money making intrigues of Church and State is braced or steeled against the admonitions of Paine; but where no education existed, the fault would be, that they could not understand his instructions so as to compare system with system. The majority of mankind all over the face of the earth are as ignorant as the cattle of the field, and what is worse, they are corrupted both in body and mind by bad habits and bad social institutions. The object of Thomas Paine was to free this majority of mankind from this thralldom, and to render them more equal with the mi-

nority, by equalizing their knowledge. This is my purpose in republishing and imitating his writings: I disavow all others. This is now proceeding in mechanics' institutions, in schools and discussion societies of every kind, and though they are not directly associated with the name of Paine, they have grown out of his assaults upon monarchy and the christian religion: and they will proceed to the overthrow both of monarchy and the christian religion. I am for trusting every system to the best possible education that can be contrived for mankind, so as free discussion, not monarchial or priestly dictation, be its basis.

The conclusion of your preface tells us, that your authorities in sketching a life of Paine are Cheetham and Cobbett, the former in chief. Now, it is a sufficient answer to all your and their slander, to say, that no sooner did Cheetham's book appear in America, than Mrs. Bonneville brought an action against him for lies and slander, and he was convicted by a Jury, a Jury too not over favourable to Mr. Paine; for, in other cases, he could not find justice from an American Jury, such was the prejudice of ignorance and bigotry against his theological writings. And as to Mr Cobbett, though he had never the honesty and manliness to state the why and the wherefore that he wrote such an infamous sketch, such a lying sketch of the character of Thomas Paine, we all know, that he has done something towards an expression of sorrow for it, and has since written himself down a wilful liar, and a man unworthy of being considered an authority for the most simple circumstance. You are welcome even to Cobbett as an authority for any thing which you can find to say against Thomas Paine. They who read both Paine and Cobbett cannot be deceived on that ground. Both Cheetham and Cobbett evidently wrote with bad feeling and without honesty or good intention, in their memoirs of Thomas Paine. As ignorant people make gods and devils, Cheetham and Cobbett took Paine for the devil and sketched, as a pure invention, his character accordingly. Mr. Cobbett now knows, that it can be proved by living testimony the most respectable, that Mr. Paine was uniformly a good and benevolent man, and that his actions every where corresponded with his writings. All the stories about his wretched death bed, you have seen falsified by living witnesses. The very persons to whom you, under the authority of Cheetham, refer, in America, to blacken his character, are ever ready to bear testimony to Mr. Paine's worth and to Cheetham's baseness. Even Carver, who ad-

mits, that he so far forgot himself, as to write that scurrilous letter to Paine, even Carver is living, as the testimony of the real worth of the man whom he slandered; and if Cobbett has redeemed his slander by exhumating the bones of one whom he once vilified, Carver has done a similar act in petitioning the trustees of Mr. Paine, that his body, when dead, may be laid in that grave from whence the bones of so great a man have been taken. Not that I admire Carver for this. It is a piece of that vanity which first led him to make Mr. Paine his guest, then to seek to extort an unjust demand of money from him, and, in failing to do this, to abuse him in a printed letter. As Carver was never worthy of the company of Mr. Paine in life, so he is not worthy to be laid in the same grave. The only fault which I can trace in Mr. Paine was, the countenance of, and an association with, such men as Carver. It was here he erred; and this opened the way for all that abuse which has been poured upon him, which a more select company would have warded off in defiance.

William Carver has sent me a very pompous invitation to come to New York and to partake with him of the best of that best of markets. I shall be very wary how I trespass on the thresholds of such men as William Carver. Mr. Paine was enticed, I could almost say *seduced*, by a similar invitation, and after being told, that to have him for a guest was solicited as a honour, he found himself shabbily treated; and to crown the whole, at separation, was charged the price of the best boarding houses. This was the real cause of the temporary breach between Thomas Paine and William Carver. I am sorry to have to say a word to the disparagement of William Carver, from whom I have received nothing but kindness and the most flattering eulogy. I would not have said it on any other ground, than that I think, to wipe off the smallest accusation from the character of Thomas Paine, is of sufficient importance to justify the sacrifice of the esteem of a thousand William Carvers.

Where you enter into general charges, that Mr. Paine was dishonest and cruel, I can only meet you with a general denial. In the memoirs written by Rickman and Sherwin, you may find anecdotes to prove his general humanity, and the fact that no man ever suffered a loss by him, that he died in no man's debt and with a small property that had been most temperately used, is answer sufficient to all general and false charges of dishonesty. But where you deal in particulars, such as his resignation of the office of Secretary to

the Committee of Congress for Foreign Affairs, and his arrest in England for a Debt, you can be met with particulars, which bespeak the unsullied honour of him whom you would stain.

In the course of his duties, as Secretary to this Committee, he was attentive and honest enough to detect and expose a breach of trust in one Silas Deane, then on an embassy to some part of Europe. Instead of waiting to have the matter duly laid before Congress, Mr. Paine's zeal, honesty and indignation led him to expose Deane through the news papers. This was called a breach of official etiquette, by the Congress; but it could not be construed into a breach of trust. The Congress censured him for this breach of official etiquette, and, refusing to hear him in answer, Mr. Paine resigned his office. There was no dismissal and he might have held on if he had liked. Subsequently, every thing was proved against Silas Deane, that Mr. Paine had charged, and the abuse of his trust was so glaring, that he was obliged to expatriate himself. Every thing connected with this point redounds to the honour of Mr. Paine.

His arrest for debt in London is as easily and as honourably to be explained. He banked with an American House in London, under the name of Whiteside and Co. This house failed, and the assignees, perhaps, not knowing his resources, very unceremoniously arrested him. Two other American Merchants, who did know his resources, came forward instantly to his relief. And what is there in this, more than the best of men are liable to? You state his arrears with the American House to be £700. I do not know that you are correct; but the sum is nothing and was soon covered. You wonder how he became so much in debt. I wonder not, even if it were double that sum. At that moment, the people of the United States of America had brought on themselves a complete catastrophe, by dealing in that paper money in which it delights and profits you to deal. Remittances were with difficulty obtained and all was stagnation. Mr. Paine, on coming to England, first settled an annuity on his mother. This was about his first act in England, after the peace with America, that he could visit it safely; and this says a word or two against a disposition to cruelty, inhumanity and dishonesty. Bad men do not trouble themselves much about mothers, even if they be aged, widowed, and poor. His income was never great, never exceeding four or five hundred pound a year,

so careless was he about accumulating property; for he might have been a rich man, by the power of his pen, if he had chosen even to make the most of it in honourable barter. In London, he mingled in the very best company and was even a guest at the table of one of the ministers, in company with Burke, the proof of which I have seen in Burke's hand writing. In such company, it is expensive even to be a guest. But in addition to this, he incurred a great expence in experimenting upon his first model of an iron bridge. This is quite enough to account for an arrear of £700. The scale on which he made a model of his bridge would have justified such an arrear, as a speculation, and the man who made, or in a similar case will make it, is entitled to his countrys gratitude. Thomas Paine is the father of the Iron Bridge as well as of the American Republics; and every bridge of the kind will by and by exhibit his monument.

I could dispute every slanderous point in your book with a similar explanation, you impute the horrors of the French revolution to the efforts of such men as Mr. Paine. Nothing was ever more falsely asserted. No man opposed and deplored such excesses more than Mr. Paine, and it is the height of villainy to impute to a man, a participation in that in opposition to which he had nearly sacrificed his life. These excesses of the French Revolution have been elsewhere traced to the associations of Freemasons, and nothing of the kind was meant by those who began to direct that revolution. Why did not similar excesses take place in America? Why do they not now daily occur there? That is the country to look at, to know the effects of the principles of Paine. There he guided; but the corruptions of the old French Monarchy had generated too great a storm for a political philosopher to act or to move in. Nothing could be well done, until the storm had spent its fury, and then the allied kings made a military despotism a matter of necessity. Paine saw and wept over this: he protested against it and retired to his beloved America, as early as he could find a safe passage, or at the peace of Amiens. Yet, France has gained, with all the excesses of her revolution; and the corrupt creatures, who now again rule her, are making preparations to lay the foundation of a somewhat similar revolution, they are endeavouring to restore those old abuses, which were the first cause of the excesses of the revolution. If such men will not take warning, why should we

who avow ourselves to be revolutionists, concern ourselves to warn them.

At page 13, in speaking of his "Rights of Man," you say:—"It was nothing more than a repetition of all the trash and nonsense of the French Revolutionary School, applied particularly to the circumstances and the institutions of the British Nation. To prepare the people for emulating the virtues of their French neighbours, he endeavours to persuade them that no laws are binding, but those which every man has within his own breast,"—This is an abominable, wicked, wilful falsehood; false in fact and in inference. There is nothing like it throughout the whole work, nothing like it in any part of any of his works. The chief point, in Lord Erskine's defence of "Rights of Man," was the circumstance, that Mr. Paine, in his preface, had laid it down, as a rule proper to be observed, that a bad law should rather be submitted to, until its repeal be legislatively obtained, than that it should be violated; as a violation even of a bad law, was a bad example. How does this tally with your assertion, that he recommended every man to become his own law-maker?

You say, at page 15, that Mr. Paine skulked out of the kingdom, just before his trial came on. This is also false. He was elected a deputy to the French Legislature, by the town of Calais, and by two other towns. Versailles and Abbeville. A deputation came from Calais to London to escort him to France, with that deputation he openly travelled, and was insulted by the custom-house officers, on his embarkation. This was not like skulking. Every act every movement of his was open and manly. You acknowledge the escort to France by the deputation, in the very paragraph in which you accuse him of skulking: and amid your abuse of his motives, and whilst comparing them with all that was horrible in the French Revolution, you seem to smile over his narrow escape from the guillotine, for opposing those excesses at their commencement!

I pass over your logic about the history, miracle and prophecy, on which you say the Christian Religion is founded, by telling you, that you cannot carry the Christian Religion into the first century, that you cannot shew it not to be of Grecian origin, that you cannot prove the authenticity of any one gospel or epistle, as to its author and place of its first appearance. And with respect to prophecy that you cannot give the Jews a residence in Syria before the Babylonian Colonization.

This brings me to page 43, Here you say, that he seduced Mrs. Bonneville from her husband and took her to America with him. This is all a villanous invention. There is not a word of truth in it. What think you of an old man of 65, worn out with drinking brandy enough every day to kill any other man, seducing a woman of fifty and making her cross the Atlantic with him? You say he seduced her two sons too from the father. This is a novelty in the annals of seduction. This is the point on which Mrs. Bonneville obtained damages from Cheetham. So far from her being seduced, she did not leave France with Mr. Paine, nor until a year afterwards, that she was sent out by her husband, who proposed to follow her, on winding up his affairs in France. She seldom dwelt under the same roof with Mr. Paine in America: though, we have the best of proofs, that he generously relieved her while living and left her the bulk of his property when dead. The very virtues of this man, that should have shamed his slanderers, have been distorted into the most odious vices. Mr. and Mrs. Bonneville are both living in Paris, or were about a year ago. I have corresponded with them. This seduced woman is now back with her husband, and both express the highest veneration for the character of Thomas Paine, a veneration that was never exceeded towards any character. Had Cheetham been honest, he might have easily satisfied himself of the facts as it regarded Mrs. Bonneville, for she was in New-York and open to every kind of examination.

I have done quite enough, to shew the vile character of your publication; and, if any thing that I had published could be so handled, I verily think that it would send me out of life. There are other points of refutation to be found in the postscript of my third edition of his memoirs, at sixpence, and, as they have been once copied into "The Republican," I shall not again copy them.

You, a dealer in paper money, have much ground whereon to dread the progress of the principles of Paine. One part of his warfare was against that system of paper money and funding which has placed or kept you in Blaise Castle. You have lived and flourished by making paper money, and Paine sought a revolution in that matter, for the purpose of introducing, or preserving, a metallic currency, that should form no tax upon the people. Your neighbour, Mr. Frederic Jones, has lately given you a shaking upon this subject, and I have not a doubt but that I shall live to see you

kicked out of Blaise Castle by your creditors. You, of course, see nothing monstrous in the system that enables you to issue a thousand or many thousand bits of paper, at the nominal value of many thousand pounds, and either receive an interest for the use of that paper, or real property in exchange; a circumstance which creates so much real property for your consumption and deprives the holders of your bits of paper of that real or secure property. If a note be any way destroyed, by fire or water, by rats or mice, or by friction or filth, its nominal value is to you a clear gain, and a real tax upon the loser. If your bank breaks, every holder of your notes is taxed to the amount of the notes which he holds. And a still greater evil is, that this paper currency, being a debased currency, heightens the price of all the necessaries of life, without heightening the nominal value of labour to correspond with the change. This is the why and the wherefore that you are a member of the Vice Society, and that you clamour for Church, State, Constitution and things as they are. A man, with your gains, cannot reason upon this subject; he who makes no gain by the system, is alone qualified to reason upon proposed changes. You participate in the robbery produced by the present state of things, and to ask you to reason upon a proposed change, is like asking a priest to reason upon the probable and prudent overthrow of his church. I delight to puzzle a priest by a few plain questions; but I tell him before I begin, that I have no idea of making a convert of him. I am never so unreasonable, with men- who, like their champion, Paley, cannot afford to keep a conscience.

On getting to the conclusion of this letter, I am informed, that Pritchard's Gang, the Vice Society, shew a disposition to prosecute the publication of my print of your God. I can only promise you, that, if they do we will have some good fun for our pains. I will have out, with all dispatch, a print of this God condescending to shew his back parts to Moses, and several others, as fast as an artist can be found to do them. Your friend, Dr, Stoddart, has refused to print my defence upon the subject; because, forsooth, like all other strong argument upon the subject, of religion it is a blasphemous libel: a convenient shuffle. But I can print, only I cannot get the whole of the Doctor's readers. A silly, genteel Christian has been fool enough to imitate the Jew in breaking the window and destroying the print.

This fellow was seized and dragged into the shop, where he was glad to ask a continuance of a shelter from the indignation of the crowd, who menaced him until he was seen to put down the price of the window and the print. He was lectured into a confession of shame at this conduct, and skulked out of the side door, after the crowd had in some measure dispersed, with feelings which no man could envy.

The subject of the Jew comes in at the end of my first letter to you, and whilst on the subject, I must not forget the joke of Alderman Thompson, in telling the Jew, that he should have laid an information against the publisher of the print, as guilty of an attempt to bring the Christian Religion into contempt that religion which the Jew himself held in the utmost contempt! The Alderman does not want sense in some matters, behaved very well to Mrs. Wright and to Tunbridge while they were prisoners in Newgate, and expressed his dislike of such prosecutions; but, in the chair of the magistrate, I presume, that he felt a sort of necessity of being a fool according to law, in defending the God and the Religion established by law.

With this renewed prospect of hostilities, I must hold myself open to write other letters to you or to some member of the Vice Society. I feel my power, a power which I never felt before, and I am not at all alarmed at the preparations for war; assured, that, as before, I shall come off victorious; and with new laurels,

But, in conclusion, I must not forget to remind you, how neatly I have written your memoir, and have shewn your real character as a slanderer of Thomas Paine and a suppressor of vice in others! This letter will spread wherever your vile publication has gone, and, I now leave you to enjoy the fruit of your wickedness, until that day of reckoning which will make people wise enough to demand gold for every rag that you have issued to rob them.

RICHARD CARLILE.

REVIEW.

1. *The English Practice: a Statement, showing some of the Evils and Absurdities of the Practice of the English Common Law, as adopted in several of the United States, and particularly in the State of New-York* New York, 1822.

2. *A Dissertation on the Nature and extent of the Jurisdiction of the Courts of the United States,*

BY PETER S. DUPONCEAU, LL. D. PHILADELPHIA. 1824.

EVERY friend to his country must rejoice to see the spirit of enquiry which has gone abroad, touching the nature and condition of our judicial system. The observation of President of Montesquieu, that the jurisprudence of every country lags in the rear of its improvement and civilization in all other respects, is but too well verified with us; and yet if any country should be an exception, it should be ours, where there are no conflicting orders or opposing interests to counteract each other, and where the good of the whole is the only object of the laws, and the will of the people is the law. Yet, much as our revolution has advanced our political constitutions, it cannot be denied that many strange and grievous absurdities still disgrace our laws, and jar with the great and lofty principles, of which they never should lose sight.

The first step towards real improvement is to make truth our guide, and to discard all doubtful, mysterious and equivocating terms. When the intention is honest, the language should be direct, and there is nothing more suspicious than the use of ambiguous phraseology.

The defect and consequent abuse of language, has been the cause of mighty evils and of bitter woes, and is the greatest and the commonest source of error: and therefore good logic requires that every term upon which any argument is predicated, should be so strictly defined as to have an exclusive and appropriate meaning. But with respect to our laws, the very reverse has been the case; and the most important of all the terms that belong to the subject, and without the use of which nothing can be affirmed or denied of it, is, of all others yet known or used, the most vague, viz. the common law. It seems to challenge the prerogative which Ovid attributes to Proteus, when he says,

Sunt quibus in plures jus est transire figuras.

And, as that oracular and slippery son of the ocean was wont to

elude all enquiry, and to baffle sense and reason till he was chained and fettered, so we can never hope to have any rational certainty of what concerns us so vitally, till we can bind down this evanescent and fleeting essence, by some clear and positive definition. We know more of what it is not, than what it is. It is not the civil nor the military law, nor the marine nor the merchant law; nor the natural, the national, nor the ecclesiastical law, nor the law of equity. It is not common sense, unless, as Lord Coke tells us, that it is "artificial common sense; not the sense of any common men, but only to be acquired by long diligence and study"! Touching its origin, we find learning and genius both run mad. Blackstone traces it back to the wilds of Gaul and Germany; but if we believe Lord Coke, we owe it to the fortunate accident of the second rape of Helen. His words are these: "King *Brutus*, the first King of the land, as soon as he had settled himself in the kingdom, for the safe and peaceable government of his people, wrote a book in the Greek tongue, calling it the law of the Britons; and he collected the same out of the laws of the Trojans. This king, they say, died after the creation of the world 2860 years; before the incarnation of Christ 1103 years; Sumuel being then judge of Israel. I will not," he adds "examine these things in a *quo warranto*. The ground, I think, was best known to the authors and writers of them; but that these laws of the ancient Britons, their contracts and other instruments, and the records and judicial proceedings of the judges, were wrought and sentenced in the Greek tongue, it is plain and evident from proofs luculent and uncontrollable." Now the story of the old chroniclers runs thus: *Æneas* the son of *Venus*, flying from the flames of *Troy*, carried off his father *Anchises* upon his back; his household gods in one hand, and his boy *Ascanius* in the other, leaving his wife behind; and after wandering far and wide, jilting poor *Dido*, killing king *Turnus*, and marrying his betrothed *Lavinia*, founded a kingdom, out of which grew that proud city destined to be the mistress of the world; he died leaving his son *Ascanius* heir of his fortunes. The grandson of this *Ascanius* was king *Brutus*, the great father of the common law. He having shot his father *Sylvius* with an arrow, with like piety as his great grand-father brought away, not household gods, but what was more precious still, the common law; and after much wandering, and many warlike and amorous adventures, he landed at *Totness* in *Devonshire*; and finding the country peopled with giants, and governed by their king *Gog Magog*, he slew both king and giants to make room for the common law, and became the "*first king of this land!*" by killing the last!

The next inquiry is, how this law came to be called common. From the number of exceptions as shown above, it has little pretensions to universality. It was never known to any other nation except that southern half of the island to which it was reveal-

ed by king Brutus the giant-killer. And Wm. Penn had good reason to say upon his trial at the Old Bailey, that "if it was common it would not be so difficult to produce; and if it was so difficult to understand, it could not be very common." But as the pedant derived the word *lucus* (a grove) from *non lucendo*, as though it were called light because it was dark; so may this have been called common because it is so uncommon.

But it may be said why fight with shadows? None of our wise and eminent jurist now contend for the antiquated barbarity of the Saxon or Anglo Norman usages, None but the simple and ignorant, now prattle about the codes of the Inas and Guthruns, and the laws of Edward the Confessor. Though we should admit this, it is yet too soon to give quarter to this old and inveterate enemy of common sense. It is true that some learned lawyers and judges have renounced the errors of the ancient superstition, and have fixed a new æra for the inception of the common law, namely, the middle of the 17th century. For instance, Mr. Duponceau, in the work before us, and the Supreme Court of Pennsylvania in the ducking-stool case. Yet, with all respect for such high authority, there is something to be said still, Mr. Duponceau is a scholar and an accomplished lawyer, and, moreover, a zealous and disinterested friend to his country and to mankind, and one of whom we are proud; but if he has overthrown the authority of Fortescue and Coke, and Hale and Blackstone, he has thereby shown that we are no longer to be governed by the authority of any great names. We cannot help thinking that the acute genius of that gifted writer must have been under a bias, (either from a too prudent and over cautious fear of innovation, or, from the point of view in which he stands, in a state, where some unsuccessful attempts at reformation have created a temporary re-action) when he declares so strongly against a code.

Yet as the arguments of able men, though liable to error, still scatter light as they proceed, we shall copy the words of Mr. Duponceau (p. 107.) "I venerate the common law," he says, "not indeed the law of the Saxons, Danes and Normans, not that which prevailed in England during the reign of the Plantagenets, the Tudors, and the Stuarts, but that which took its rise at the time of the great English revolution, in the middle of the 17th century, to which the second revolution in England gave shape and figure; which was greatly improved in England in the reign of William and Anne, and the two first Georges, and which during the last period and since, has received its greatest improvement and perfection in this country, where it shines with greater lustre than has ever illumined the Island of Great Britain. In former times," he adds, "it bore no resemblance to what it is now." There is truth and force in these assertions: but what do they prove? That in this country there can be, truly speaking,

no common law, or rather that ours is not that which goes in England by the name of the common law." For it is of the essence of the common law that it be immemorial, that is, "*beyond the time whereof the memory of man runneth not to the contrary*;" and it is settled that the memory of man runneth to the contrary of every custom since King Richard Cœur de Lion began to reign; and to say that any common law could be made since this "*time of memory*," is heresy downright. It is well, therefore, for the amiable and excellent author, that the bigotry and superstition of the black letter has subsided, otherwise the Saxon devotees, and all the Edward the confessor's men would cry "stone him, stone him!" When he says that, "in former times, it bore no resemblance to what is now," how would that be brooked by those who maintain that the common law, through all times and changes and events has still been one and the same; and that whether it was Greek or Latin, Celtic or Teutonic, French or English, Christian or heathen, catholic or protestant, feudal or allodial, monarchial or republican, it had still, for its wise maxim, *nolumus mutari*? Many of the principles which we extol and partially set down to the credit of the common law, are to be found only in statutes derogatory of it, so that if we should adopt it without those statutes we should be slaves and savages. We should neither have *magna charta* nor bill of rights, nor the statutes of treason, nor of bail, nor of *habeas corpus*, nor any of those which put an end to the gross abuses and grievances practised and perpetrated under the name and authority of the common law. We should have wardship, marriage forfeitures, aids to make lords' sons knights, and to marry their daughters, homage and escuage, and voyages royal, witchcraft and heresy, high commission court, star chamber, ordeal, battel, and all the evils of past ages of ignorance and tyranny.

If it be said, as it has often been, that our constitution recognizes this common law, and that our forefathers in this land claimed it as their birth right, this may be deserving of a more serious answer.

Our fathers were like other men's fathers in very many respects; and in this, amongst other things, that they spoke the language they had learned. They had, however, a knowledge of their rights and interests, and maintained them manfully, and in that they were most commendable. They were unwilling to be taxed without their own consent, and they resisted, at the hazard of being punished as mutineers and rebels by the rules of the common law, the stamp tax and tea duty, and after many unavailing petitions to their "*dread sovereign*;" after the most humble and submissive protestations of devoted attachment to his person and government; finding these disregarded and scorned, and their lives, persons and property threatened and attacked, they resolutely, and valiantly took up arms, and finally declared them-

selves free and independent; and from that time their language changed with their condition, and we hear no more of those fulsome and servile terms which, whilst they remained subjects, they were obliged to use, and without which their prayers and supplications never could have made their way even to the lowest step of their dread sovereign's throne. And when they came to form a new political constitution, it is rather remarkable how they guarded against any thing like the adoption of the English common law. It was not then, indeed the moment, amidst the clash of arms and the din of war, to enter upon the details of an entirely new judicial code, and they wisely left that to be effected when their independence should be established, and peace and security should render it practicable and safe. That independence itself was then but a dangerous and doubtful experiment. A political constitution was what the exigence required; and that was no servile imitation, but a free and original design sketched by the hand of bold commanding genius. It retained so much of the common and statute law of England, and so much only, as, together with the legislative acts of the colony, constituted the law of the colony rejecting whatever was repugnant to the spirit of that constitution, and specifically all that could be so construed as to maintain monarchy or church-establishment. But it contained another equally important reservation—that it should be subject to be altered and modified by future legislation. To have changed the course and current of the law at that juncture would have been not only imprudent, but impracticable; that was deferred till some more auspicious moment. This proud city and its port was still in possession of an enemy; our independence was still a doubtful and dangerous experiment. Civil strife and the tumult of war had not yet ceased. The heads of the courageous statesmen who framed the constitution were, by the common law, forfeited and demanded, and they in return struck off the head of the common law; for the king is, according to Lord Coke, the *principium et finis*, the beginning and the end of the common law. Did they expect when they did this, that it would live so long after? that like the Hydra of Lerna a new head would sprout out? or that when the beginning and end were both truncated it would, like the worm called polypus, send forth new shoots and regenerate the vital organs of which they had deprived it? Or did they mean to embalm it with sweet odors, and keep it like a mummy, shrunk and without vitality, or to be remembered in rubrics and celebrated in homilies? No; their fond prophetic visions, through the darkness of the tempest that lowered upon them, foretold that the day might come when their arduous struggles would be crowned with full success, and liberty and self-government would be no longer a problem: when their bold and glorious example would be imitated; and when laws would be given to their regenerated state

bearing the impress of reason and liberty, and founded upon independent principles and unsophisticated truth. And never could their hopes have pictured an occasion so favourable as the present; nor ever was the want of such reform so manifest; for whilst our political constitutions are the models of imitation to the regenerated that rise in succession, like stars from the horizon, and follow in our orbit, yet there is not one but would turn in disgust from the complex formalities and antiquated barbarities that remain more or less intermingled with the administration of our law.

Let it not, therefore, be an argument for eternizing the follies of other times, that our forefathers claimed the common law as their birth-right. If they did so, it was because they had no better and no other phrase. The vocabulary of freedom was then new and scanty; for liberty itself was but an embryo. And it would be just as reasonable to interpret the bill of rights in England by the servile addresses presented to king James, from the cities, counties and boroughs, of which he carried great chests full, when he was declared to have abdicated his crown, and which he had leisure to read for the first time, when he took up his residence at Saint Germain.

But after all, what matters it to us now, how those who went before us, said or did, in the spirit of their day? We must act and speak in the spirit of our own. We can no longer equivocate with ourselves, nor with the nations whose eyes are upon us, some for evil and some for good. We rank too high to make it a matter of indifference what our jurisprudence is. Even with respect to our estimation abroad, it is of importance; and whoever can feel for the true glory of his country, must feel it to be so. We may, it is true, amuse ourselves with vain boastings, and reiterate the figures of rhetoric and fancy, touching Gothic foundations and Corinthian columns, and elegant modern superstructures: but if we would sustain our moral and intellectual character as a nation free and regenerated, we must away at once with superstition, chicanery and folly.

Suppose, as it happened in the early days of Greece, some statesman or lawgiver should set out upon his travels in search of the laws best suited to the government of a young commonwealth, and with that view should land upon our shores, what is the wise book of Minos that we should spread open to his view? Doubtless, that in which our own youth are put to learn the elements and rudiments of their own laws: the four commentaries of Sir William Blackstone. In the first of them he would read of a constitution that was an ancient and venerable edifice till spoiled by the rage of modern improvement; of statutes penned by men of little or no judgment, so that the learned had much to perplex their heads to make atonement between insensible and disagreeing words. The inviolability, ubiquity, and immorality

of a monarch to whose will and authority it is the most atrocious of crimes to be indocile; who is alone the fountain of all honor and office, justice, law, and mercy, from whom all hold their estates as from his bountiful gift, to be resumed where the conditions are forfeited, upon which they are supposed to be by him granted, and to whose person, all born in his dominion are bound for life by an allegiance which they never can shake off, in whatever region of the earth they may fix their abode, and who cannot even migrate against his will. Without whom, in effect, nothing is that is; for every thing is *his*; his kingdom, his people, his army, his navy, his high-way, his law, his peace, his treasury, his parliament, his laws; all these are the king's by virtue of his high prerogative. He is moreover, the supreme head of the church; and treason to his person, even in imagination, is punished by hanging, drawing and quartering, embowelling alive, throwing the entrails in the face, and placing the head and four quarters at his gracious disposal. The wandering stranger would then learn the necessity of different ranks and privileged orders, from the Duke and Dutchess to the howling beggar; of the hereditary legislators and judges in the last resort of the church dignitaries from the Archbishop to the sexton and the parish clerk, and might be tempted to inquire why these doctrines were inculcated so persuasively into the minds, and made to compose the manual of our youth, if it were not intended that they should curse their fathers' names for having traitorously withdrawn their natural allegiance, and sacrilegiously overthrown the altars of the common law, and the holy alliance of the church and state.

In the second book, he would find the whole doctrine of feuds and services and tenures and villeinage, and all the doctrines of barbarous and slavish times dimly distinguished through the mist of ages—the abstruse learning of estates, and the strange fictitious methods of transferring them—the necessity of corporal tradition for the sake of notoriety, and the means invented by the clergy and the judges to defeat that principle—uses and double uses invented in times of mutual attainders in the long and frequent periods of civil wars and bloody usurpations, to prevent forfeitures and confiscations—the construction of men's wills by their intentions, provided the intentions agreed with the rules of law which never did agree with the intentions—and a thousand such subtleties in which it would be more honorable to be unskilled than skilled, if the tyrant custom had not thrown his mantle over their deformity.

In the third book he would see the remedies for civil wrongs with all their wonderful changes: the Saxon plaint praised for its unlettered simplicity: the quaint formalities of the Norman writs, and the process growing out of them, requiring seven years to bring a defendant to appear; of which the highest praise was

that by them no wrong was left without a remedy, and yet, such has experience shown them to be, that not one in a hundred is now known or used—and also the doctrine of special pleading by which these writs were almost sure to be quashed or abated to the great augmentation of the king's royal revenue. The stranger would then be informed of the very ingenious fictions by which the king's courts had respectively acquired jurisdiction by supposing that the party had broken *a close* with force and arms, and also done the real thing complained of; or that the plaintiff was the king's debtor, and less able to pay his debt if he sued in any court other than the king's exchequer; or that he was a close prisoner in the prison of the court, where he is required to be and appear; wherefore a process is addressed to the sheriff, to have his body if he can be found in the county; and if the sheriff return that he cannot find him, then another writ to another county, informing the sheriff of that other county that he cannot be found in the county where he is in prison, but is said to be lurking and wandering in his; wherefore he is commanded to take him if he can be found. This, with the whole train of the subtleties and vulgar contrivances that constitute the arts of petty litigation, with the statutes of amendments and jeofails, and all the unnecessary war of notices, motions, rules and affidavits, would certainly astonish the traveller after good knowledge, and incline him strongly to the opinion that Astrea did not lurk or wander in our bailiwicks; and that all such contrivances could only serve to give error more diversity and rumor more tongues. And what would he think of the parliamentary magic of the statute of uses; of the frustration of the intentions of a grantor, because it was not expressed in his deed that a dollar was in hand paid, when in truth no such thing was ever done, nor yet intended? Would he believe that such a case could exist in a land of common sense? What would he think of a fine *sur cognizance de droit comme ceo qu'il a de son don*, or *sur cognizance de droit tantum*, and all the goings out and comings in and vouching of Jacob Moreland; and what of this Jacob himself, who in spite of rotation in office, has for centuries held the lucrative charge of common vouchee? He might indeed say with Hamlet, "This fellow might be in his time a great buyer of land, with his statutes, his recognizances, his fines, his double vouchers, and his revenues; but is this the fine of his fines, and the recovery of his recoveries, to have his fine pate filled with fine dirt?"

If desirous of knowing how an estate in land was to be recovered from a wrongful possessor, he must first be taught the names of each particular wrong, as disseizen, abatement, intrusion, deforcement, and so on: of the formedon in the descender and reverter; of writs of entry in the *per*, the *cui*, and the *post*. And would he not exclaim, "Oh spare my aching sense, you craze my brain!" Then he might be consoled with that most

happy and beneficial method called *ejectment*, invented by the courts for the avoiding the difficulties and impracticable nature of those ancient and bepraised writs, by the representation of a comedy, in which the *dramatis personæ* are as follows :

The lessor of the Plaintiff, a real person, who seeks to recover his land.

James Jackson, an ideal person. who is supposed to take a lease and enter upon the land, and is called lessee of the plaintiff.

John Thrustout, an ideal person, who being of more muscular force, thrusts the other ideal person out; but being sorry for what he has done, writes a letter to the tenant in possession, that he must defend his own possession, as he means to be off.

The Defendant, a real person, who, on receiving the ideal letter from the ideal Thrustout, being much affected by its contents, applies to the court to be admitted to defend his own cause.

The Judges, real persons, who indulge the defendant, on condition, however, that he will confess three ideal things, viz. lease entry, and ouster.

The most affecting scene is where the defendant balances between his conscience and his interest; for if he will not consent to confess the three lies, though the real plaintiff is nonsuited as against him, yet he gets judgment against the ideal person Thrustout, and he, the real defendant, is for that cause turned out of possession. He, therefore, yields to the temptation, complies with the desire of the court, and openly declares the three lies to be three truths, and having so qualified himself to appear in the temple of justice, he is admitted to do so in the place of the ideal man.

The other ideal persons are, the common law, who enters in triumph, and comes in the front with a train of sergeants, outer and inner barristers, attorneys, special pleaders, prothonotaries, secondaries, masters, clerks, pledges and summoners, amongst whom are the twin brothers John Doe, and Richard Roe, and their twin cousins John Den and Richard Fen.—Truth and common sense are discovered in the back ground in chains, weeping.

As soon as the stranger was made sensible of the superior advantages and benefits of this proceeding, he might be told of the fiction of the action of trover to try the truth of sales by supposing the goods to have been lost and found as the only way to “*eviscerate the truth*,” of the great virtues of *et ceteras* and *videlicits quod cum* and *obsque hocs*, and the nonsuiting qualities of *vi et armis*, or the necessity of declaring that there was force and arms where there was none, and that a close was broken where there was none to break; why ships are laid up under the charge

of an officer called a *scilecet* or a *to wit* in St. Martins in the fields or in the town of Schoharie, and for brevity's sake he might be referred to that indispensable work in every American lawyers library, the ten volumes of Mr. Wentworth's pleadings as a table of reference to the copious stores of precedents. But would he not stand petrified as though he had seen the Gorgon's head with all the twisted serpents of which that on Minerva's shield was but the type?

In the fourth book, he would find a summary of the wars between the ancient and common law and the statutory invaders; how the statute repealed the common law, and the common law undermined the statute; how hardly those acts that protect the life and liberty of the subject, were won from prerogative and despotism, from trembling usurpers and excommunicated monarchs, who in their weaker moments and precarious situations, were reduced to the necessity of granting to their subjects the benefit of the law, the trial by jury, liberty of speech, and the right of petitioning, and such other happy and boasted privileges, for which on one hand a sanguinary code, the denial of counsel to address a jury for a prisoner standing at the bar for life or death; and on the other guilt and atrocity after the fullest proof and conviction, exultingly, triumph over the justice of the law, by the misspelling of a word, or the leaving out of a letter, as, for instance, the writing of *undestood* for understood, and other such things, passing all understanding. He would see in every page the vestiges of ancient bigotry, ignorance, crafty superstition and ruthless persecution, against Jews and Quakers and Dissenters, Non-Conformists, Heretics, Witches and Papists, and many running sores not yet closed nor cicatrised, and evils yet menacing and "potentially existing," which bad times, and corrupt judges may again call into activity, and as he contemplated "the dreadful accidents by flood and field" to which the most favourable changes have been due, and all the wounds and gashes which are visible upon the body of this common law, some before, and some behind, as the honor of the day happened to be lost or won, would he not say, this may have been a "champion grim, but not a leader sage"? and might not this disappointed Greek return at length somewhat reconciled to the dominion of the Turk? For though he might with truth be told, that the great abuses of past times had through the wisdom of our legislature, and of upright, patriotic and enlightened judges, (and to that truth we subscribe with all our hearts) been gradually corrected, and that *gradual reformation* would still farther proceed, and in time effected through succeeding decisions of the bench, as questions may arise before them, yet would the philosophic stranger be satisfied with such an answer? Would it appear wise or safe to a philosophic mind to have the law afloat, and its perfection depending upon the accidental occurrence of doubtful litigation, or that par-

ticular cases should make the general law, and that some victim must be devoted to the establishing of every principle, and, Codrus-like, throw himself into the yawning gulph. It is for these reasons that we feel ourselves bound to declare in favor of the written code. And since we have judges of such tried worth, let them be put in requisition to do that which the people require.

We shall conclude by strongly recommending the reading of "The English Practice," the first work at the head of this article where many practical abuses very easy to be remedied, are pointed out with candour and precision. Its being imputed to the pen of Mr. Henry Sedgwick, is in itself the highest recommendation.

WILLIAM SAMPSON.

EXTRACT FROM THE LETTER OF A MASONIC FRIEND.

DEAR SIR,

Oct. 22. 1825.

I RECEIVED the manuscript and Jachin and Boaz safe. Your exposition of masonry is excellent. The three first degrees and Royal Arch are all that I know any thing about, and you have handled them well, you have only omitted some trivial ceremonies which are probably not used in all lodges. In the Royal Arch you have not given the mummery of the exultation as it is called, particularly the ceremony of making Noodle wrench the key stone from the arch, and that exquisite piece of child's play in leading him under the arches!

ANOTHER EXTRACT.

I HAVE found a note in Maclaine's translation of Mosheim's Ecclesiastical History Vol. 5. p. 78 about the Rosicrucians, who are there defined to be those, who, by means of Dew (Ros) supposed by them to be the most powerful solvent of gold, sought after gold, or light, in latin, lux, the three letters of which last word form a cross X (vir. L V X.) This seems fanciful; but nevertheless may perhaps be true. Fancy may also combine there with the Crux ansata or Triple Tau.

TO THE EDITOR OF THE NEW TIMES.

Dorchester Gaol, Nov. 1, 1825, seventh
year of imprisonment for an endeavour to improve the public morals.

SIR,

LET, me if you please, have a little of calm reasoning with you, about Mr. Moses Elias Levi and the print of the "God for a shilling." I have seen your yesterday's paper, and I was surprised to see, that *you* could justify an act of rashness on the part of a fanatic. You seem to lament, that the Alderman made the Jew pay for the damage done! How did you feel on this head, when the front of your house was demolished, from the indignation of thousands at your conduct as a public writer, towards the late Queen? Did you pocket the resentment and say "I have deserved it?" That was not the act of one, but of many, a deliberate and spontaneous attack by almost every passer by. This case, at my shop, was the act of a fanatic; and it augurs well, that this print has been exhibited for many months, before one such fanatic was found in London. I have a Jewish or Christian stone, on my desk, that was thrown in the dark and which brake three panes of glass; but this silly Jew, was the first to feel that well known holy zeal among idolators, to break the window in open day.

Alderman Thompson did very right not to listen to the charge of felony; because no one can calmly suppose that the Jew, like his forefather Micah*, meant to steal a few Gods, or rather the metal set apart to make them. But as to the exhibition of this print being a misdemeanour, it is no more so, than those exhibitions which we have imitated, the engraved descriptions of the Indian Gods, by the Wesleyan Methodists. Let it be prosecuted as a misdemeanor and you shall have a ridiculous print for every ridiculous passage in the Bible. What think you of a print of Jehovah shewing his back parts to Moses? What think you of an exhibition of a God making fig leaved aprons for naked Adam and Eve, and fitting them on, as if he were ashamed to look at his own work? What think you of the scene of Lot and his daughters? These and a hundred such shall be forth coming, if this print be prosecuted as a misdemeanor.

* See Judges chap. 17, verses 1 to 5. Compare it with the Chinese advertisement of a manufacturer of Gods.

I shall be very glad to talk over this subject calmly with Mr. Moses Elias Levi, or with any other person. And, if any person can give me one solid reason, why the exhibition of such a print is injurious to the public morals, nothing of the kind shall again be found in a shop of mine. I see the public morals to be bad enough, and I labour, by day and by night, to mend them. My whole career has been an exertion to mend the public morals. I suffer to this end, and am content to suffer, if I cannot otherwise mend them. But you call religion a part of morality, and I have proved, and can prove at any time, before the most learned of men, that religion is a vice, inasmuch as, there is not a word of truth, not a particle of public utility, associated with it. That this is a fact, I invite discussion to prove. I will ask it from you. I will ask it from any member of the established church, in or out of holy orders. I will ask it from any man. My aim, and *only aim*, is to remove my ignorance; and, as I remove my own, to remove that of others. About reputation, and the best of a controversy, I do not care; my grand aim is not so much *victory*, as a disputant, as mutual instruction. This instruction can only be obtained by the free and unmolested exhibition of every kind of argument; and my print of the God of the Jews and Christians, by no means a caricature or false representation, as you and the Jew have styled it; is an argument, and a powerful argument, to shew, that there is no such a God in existence, as that depicted in the books of the Old and New Testament. There is nothing narrated in those books, in reference to physics, that has the least analogy with the properties of matter which we now see about us, and which we know, by analogy, always to have been in a similar state. Instead of being books to guide us through life, they are books of darkness, and of the most gross ignorance.

All these personifications of deity, or of the properties of matter, are with learned men, confessedly figurative, and being figurative, they are false; because they cheat the ignorant, who look upon them as the pictures of real beings. All idolatry has sprung from these personifications, and all religion has been alike idolatrous. A personification or identity can no where exist but on the surface of a planet, and it cannot move from planet to planet. It lives but to die, and no one identity can by possibility hold an immortality. These are truths, which I am prepared to

discuss with any man. And I proclaim all contrary representations to be false and injurious to the public morals.

Intelligence, or *the power to design*, is the criterion of the falseness of all theology. Theologians say it is a property or spirit that pervades all matter, or all nature, as they call a subterfuge for confused ideas. The materialists, of whom I am one, say, and prove negatively, that intelligence, or the power to design, is an artificial principle confined to animals, and no where existing but with a living animal body, cannot exist distinct from the life of that body. This point is decisive against the theologians. This point justifies every public act of mine, and proclaims my persecution and imprisonment to be one uniform piece of wickedness and tyrannical power, and a constant violation of law which exists not beyond person, property and public morals.

Independant of this decisive point, which is my last retreat, I overthrow the religion of the Christians and the Jews by history. I prove, beyond a question, that the Christian Religion was not known in the first of the eighteen centuries which it now counts, and that no such a person as Jesus Christ lived in Judea or elsewhere, other than as an allegorical character. I prove, that the Christian Religion took its rise in the Grecian Provinces, and not in Judea.

And with reference to the Jews, I call upon Mr. Moses Elias Levi, to shew me, from what part of Asia or Africa his ancestors came to be captives at Babylon; for the Jerusalem of Palestine was only a colonization by the Persian Princes, and not the metropolis of a nation of Jews or Israelites, before that captivity and colonization. Indeed, there is no proof of a captivity, if we come to precise history.

These points, I have asserted successfully for two years, and am daily surrounding them with new proofs. I have appealed, not to the ignorant, but to the learned, to the heads of the Christian Church of this country, and to the High Priest of the Jews. I now appeal to Mr. Moses Elias Levi and to you, the learned Editor of the New Times newspaper.

Notwithstanding the fuss which you make about my shilling God, I find, by the reports of our missionary pence gatherers, that Gods are sold in India much cheaper, being there modelled of clay or carved in wood and hawked about by children at a penny a piece: and these Gods have all the same origin, all have arisen from ignorance of the properties of matter, and in giving the human or other figure to powers, for the existence of which that ignorance could not otherwise account.

In this same paper of yours, I read, that the central Africans, lately visited by Captain Clapperton, "laugh exceedingly at our explanations of the Trinity." Well might they have laughed. I laugh. Every well educated, sensible, thinking and honest man laughs at it. There was never any thing taught or explained one half so ridiculous in the Pagan Mythology. There is no authority for it in your holy books. The doctrine grew up by peacemeal from the fierce bloody and ignorant disputes among the early Christians.

See, also, in this same article, that these central Africans use the *cross* as an ensign or order. This corroborates what I have lately shewn, in exposing Freemasonry, that the cross is only a borrowed emblem among the christians, a simplified or abbreviated figure of the Triple Tau or Crux Ansata, common to the Egyptians and many other ancient nations. All that learning or research has yet done towards an explanation of its symbolical meaning is, that it represents the animal organs of generation, or the general prolific properties of animal and vegetable matter.

I will conclude this desultory letter, by proceeding to negative the assertions of your comment on the print of the God and the conduct of Moses Elias Levi.

First, you call the exhibition a piece of audacity, a nuisance disgraceful to the metropolis, and a print professedly *in ridicule* of THE ALMIGHTY. *Almighty* is a *wague meaningless word* and refers to nothing in existence or that ever did exist. That which does in reality exist is studied

and venerated by no man more than by myself. This print ridicules nothing. It is a plain, undistorted description of the God of the Bible, the God of Jews and Christians; and neither that God, nor any thing supernatural mentioned in the Bible, has any reality, or parallel, or reference, in the things that do exist. It is as "false as hell," as the Jew is made to say after Lord Ellenborough: which, with them, was a false figure, if they held the doctrine of hell to be true. I holding it to be a falsehood, can compare a falsehood with it.

If the print ridicules *the almighty*, the Bible ridicules the almighty. If the print be a nuisance, the Bible is a nuisance. If the print be audacious, the Bible is audacious. The exhibition did not originate with me, but with those who originated the Bible, and Mr. Editor, I am quite ready to join you in all the epithets which you, in your holy zeal, for the profits of religion, at least, have bestowed upon it. Call it ineffable wickedness, say that it harrows up the feelings of the good man, that it teaches blasphemy to our sons and daughters in the street, that it paralyses authority and merits, punishment, and I will agree with you. I am suffering a seventh year of imprisonment for the endeavour to put a stop to this state of things. And how much longer is the labouring man to be taxed, to support that system of religion, which I prove to be wholly founded on historical and physical fable? How much longer am I to be imprisoned for publishing the proofs?

Supposing, that my shopman, Christopher, had broken your windows and torn out your paper, for exhibiting him as a "miscreant." How then would you have reasoned? Had Moses Elias Levi been an intelligent man, he would have seen that such a squib, as this print of the Bible God, was not meant to outrage any man's feelings; but to remove the folly of such men, as those who hold to such degrading notions. It was and is meant to instruct them. It bears no analogy to a caricature of a real person, and no wise man would feel offended at such an exhibition, whilst millions are

cheated into slavery and pauperism and perpetuated in ignorance by its parallel.

I have now only to say, that no clamour that you can raise, and that no persecution that men or women in power can promote, shall put a stop to the exposure, the just, the righteous, the meritorious exposure of these abominations, which are current under the name of religion. But I will reason calmly with any man or women, who will so reason with me, and follow whatever any man, woman or child can shew to me to be calculated to improve the public morals.

RICHARD CARLILE.

COPY OF A LETTER SENT TO THE KING,
WINDSOR CASTLE.

SIR,

Dorchester Gaol, Oct. 24, 1825.

I HAVE completed my task, in the exposure of Free Masonry, and nothing now remains to be done, but the dedication of the volume to you its Grand Patron. If you are not heartily ashamed of the connection, I must say, that, as an Englishman, I am heartily ashamed of a Chief Magistrate that can patronize such a social abomination. Being hastened by very weighty matters to the state and to self, I must beg pardon for brevity, if that be an offence, or a new blasphemy, and remain, in the seventh year of an imprisonment for an old blasphemy, an almost worn out blasphemy,

Sir, your prisoner,

RICHARD CARLILE.

COPY OF A LETTER SENT TO THE KING,
WINDSOR CASTLE.

Dorchester Gaol, Nov. 2, 1825, seventh
year of an imprisonment for an attempt
to improve the public morals on mat-
ters of religion.

SIR,

A Jew of the name of Moses Elias Levi, of 178 Sloane Street Chelsea, has had the religious audacity to break your majesty's peace in breaking my window; because I have published a holy scripture design of his God, and of your majesty's God, of the God, established by law, a copy of which I enclose for your majesty's examination as to its correctness. If these Jews are allowed to get into a fighting condition, I counsel your majesty, that you will have the same trouble with them as several of the Roman emperors had. A man who breaks the peace or outrages public morals in the name of his God can never be made to see that he has done wrong. But let the Jews beware; for there are as yet some very pretty unrepealed English laws to curb them with, enacted by the wisdom of our ancestors; no, not by your majesty's ancestors, but by mine.

I will ask your majesty to pardon this Jew, as it was his first *known* offence, and as the City Alderman had just enough of sense and honesty to make him pay for the window and two Gods; but by the great Adonai, if another Jew breaks another window, destroys another God, and in so doing, your Majesty's peace, I will declare hostilities, with my ally, Mr. Cobbett, against the whole race. I have hitherto been very tolerant towards the Jews; because they were not christians; having merely deprived the vagabonds

of their holy land, or barren land of promise, before the Babylonian Colonization. I think they came out of Africa, where Captain Clapperton has lately been; and that the Babylonian Princes gave Jerusalem to a few captives as a colony and as a burlesque upon their claim to and prospect of a land of promise that floweth with milk and honey.

I hope I shall not break your majesty's peace and a blood vessel, by making your majesty laugh after dinner over this letter and its companion the God! Assuring your majesty, that I have no idol but your majesty, and that I will never corrupt your majesty with flattery or prayer, I remain,

Your majesty's prisoner,

RICHARD CARLILE.